

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AMO DEVELOPMENT, LLC,)
AMO MANUFACTURING USA, LLC,)
and AMO SALES AND SERVICE,)
INC.,)

Plaintiffs,)

v.)

C.A. No. 20-842-CFC-JLH

ALCON VISION, LLC, ALCON)
LABORATORIES, INC., and ALCON)
RESEARCH, LLC,)

JURY TRIAL DEMANDED

Defendants.)

ALCON, INC., ALCON RESEARCH,)
LLC and ALCON VISION, LLC,)

Counterclaim-Plaintiffs,)

v.)

AMO DEVELOPMENT, LLC,)
AMO MANUFACTURING USA, LLC,)
AMO SALES AND SERVICE, INC.)
and JOHNSON & JOHNSON)
SURGICAL VISION, INC.,)

Counterclaim-Defendants.)

**ALCON’S MOTION TO PRECLUDE CERTAIN EXPERT TESTIMONY
(NO. 2) OF DR. DOUGLAS SCHMIDT**

Pursuant to Federal Rules of Evidence 702 and 703, Defendants Alcon Vision, LLC, Alcon Laboratories, Inc. and Alcon Research, LLC (“Alcon”) respectfully

move to preclude Plaintiffs AMO Development, LLC, AMO Manufacturing USA, LLC, and AMO Sales and Service, Inc.'s ("J&J") expert Dr. Douglas Schmidt from testifying regarding his conclusions about whether Alcon infringed J&J's copyrights, whether two works are substantially similar, and whether J&J's works are protectable. The grounds for this motion are set forth in Alcon's opening brief, filed herewith. Pursuant to D. Del. LR 7.1.1, counsel certifies that reasonable efforts have been made to reach agreement on the subject of this motion.

WHEREFORE, Alcon respectfully requests that the Court grant this motion and enter the attached proposed order.

Respectfully Submitted,

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